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HARVARD LAW REVIEW.

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THE uniform purpose of the REVIEW has been to present a periodical useful to lawyers in active practice as well as to those interested in law as a scientific study. Much remains to be accomplished; yet it is believed that the results justify the continued effort to meet the need for such a legal magazine.

Beginning with the next number, it is proposed to increase the scope of the editorial work. A new department will be established, containing, in addition to the present book reviews, an index of articles in other legal periodicals, with a criticism of those particularly important. The purpose of this undertaking is not only to afford a complete and easily accessible reference to current legal articles, but also to present a critical discussion of important problems which may not happen to arise in current cases.

The demand for volumes already issued is such that it has become necessary to begin to reprint extensively. Although the work of reprinting is proceeding as rapidly as possible, at present only a limited number of orders for early volumes can receive attention; ultimately, however, it is expected that all orders will be filled. An exhaustive analytical index of the articles and editorials is also being prepared, and will be issued at a small charge with the last number of the current volume. By thus making readily accessible the valuable material in the fifteen volumes, it is hoped that the *REVIEW* will become still more useful as a reference book for student and practitioner.

THE LAW SCHOOL.—The school opens with several changes in the curriculum made necessary chiefly on account of the assumption of Pro-

fessor Langdell's work by Professor Ames. Two courses in Equity Jurisdiction will hereafter be given by Professor Ames, one open to second and the other to third year students; but for this year these courses will be identical. Professor Strobel takes the place of Professor Ames in the half course on Admiralty, while Mr. Wyman, LL. B. 1900, will conduct the course on Suretyship and Mortgages. Roman Law, the Interpretation of Statutes, and Administrative Law are omitted; as usual in alternate years, the course on the New York Code is replaced by lectures on Massachusetts Practice, given by Mr. E. R. Thayer. Professor Gray and Assistant Professor Westengard again divide the work of Property I. and Property II. Mr. Peabody will continue to assist Professor Beale in Criminal Law, while Professor Williston will be without an assistant in first year Contracts. Professor Strobel will repeat the course, introduced last year, on the Civil Law of Spain and the Spanish Colonies. The lectures on Patent Law, omitted for several years, will be resumed this year by Mr. J. L. Stackpole, LL. B. 1898. The size of the entering class and the total number of students thus far enrolled are both practically the same as last year; the exact figures will be given in the December number.

THE ABSENCE OF JUDICIAL PRECISION.—Whether the decisions in the Insular Cases are considered correct or incorrect, it seems generally admitted that the opinions rendered are deficient in clearness and in precision, elements most essential in cases of such importance. Elaborate discussions and irreconcilable differences upon general principles, and upon fascinating and fundamental problems suggested by equally indiscriminating *dicta* in other cases, complicate, where they do not hide, the points at issue. It is extremely difficult to determine exactly what has been decided; the position of the court in similar cases arising in the future, or still pending, is entirely a matter of conjecture. Perhaps the most striking instance of a decision which, apparently, entirely overlooks a question necessarily involved, is to be found in the case of *Dooley v. United States*, 21 Sup. Ct. Rep. 762.

Duties had been collected from the plaintiff on goods imported into Porto Rico from the United States, first, by order of the military authorities before the cession of the island to this country; second, under orders issued by the President after the cession; and third, under an act of Congress passed still later. In deciding the first point the court properly held that the plaintiff could not recover for duties collected by the military authorities; the question of the validity of the duties imposed by act of Congress, raised under the third head, remains to be decided in the suit still pending. As regards the duties collected under the second head, the court, intimating that the orders of the President might be valid in so far as they imposed duties on imports from foreign countries, nevertheless decided that the President had no power to impose duties on goods imported from the United States. It may be difficult to support the distinction drawn; but conceding the correctness of this decision, does it follow that such imports were entitled to entry free of all duty? It must be remembered that the court had just decided, under the first head stated above, that up to the time of the cession imports from the United States were subject to duties under the existing laws as established by the military authorities. Heretofore the rule has been uni-